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AGENDA ITEM NO.: 6 (Action Item – Public Hearing)

PLANNING COMMISSION MEETING DATE: February 26, 2025

SUBJECT: Conditional Use Permit (CUP) 2024-10/Elks Park

EXECUTIVE SUMMARY

The applicant, Bishop Elks, has applied for a CUP to continue to operate a currently non-conforming lodge that includes recreational activities, RV camping, and event rentals that involve large assemblages of people. The Bishop Elks Lodge has been operating at 3301 West Line Street, Bishop, since 1979. The applicant is asking for the CUP to continue these already established uses on the property without any expansion, building or additional uses. This project is Exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines 15301 Existing Facilities.

PROJECT INFORMATION.

Supervisory District: 1

Project Applicant: Bishop Elks Lodge #1603

Property Owner: Los Angeles Department of Water and Power

Site Address/ 3301 West Line Street, Bishop

Community: Bishop

A.P.N.: 011-400-08

General Plan: Agriculture (A)

Zoning: Open Space (OS)

Size of Parcel: Approximately 11.4 -acres

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	Mostly open space with small, developed areas	Agriculture (A)	Open Space - 40 acre minimum (OS-40)
North	Vacant/Open Space	Agriculture (A)	Open Space - 40 acre minimum (OS-40)
East	Residential Development	One Family Residential (R1)	Residential Low Density
South	Line Street/Highway 168	NA	NA
West	Residential Development	One Family Residential (R1)	Residential Low Density

Staff Recommended Action:

1.) Approve the CUP 2024-10/Elks Park and find the project is exempt under CEQA.

Alternatives:

- 1.) Deny the CUP.
- 2.) Approve the CUP with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

Project Planner:

Cathreen Richards

STAFF ANALYSIS**Background and Overview**

The applicant has applied for a CUP to bring the current activities conducted by the Bishop Elks Lodge at 3301 West Line Street, in the Bishop area, into compliance. Currently, the Elks rent the property for weddings and parties, have seven Recreational Vehicle (RV) spaces for “members only” and hold Elks Lodge events at the property. The RV spaces have electrical hookups, but nothing else. The RVs must be self-contained (water and septic systems) and go off site for sewage dumping. The Elks are not proposing any changes or expansion of the current uses and have applied for the CUP to be in compliance with the county code. This was brought about by a code compliance complaint and the Elks Lodge was unaware of the fact they were not supposed to be renting the property for events or allowing for RV camping. The Elks are also operating under a Los Angeles Department of Water and Power (LADWP) lease for the use of the property. The LADWP is the actual property owner, and they have given their permission for the Elks to continue to use the property as they have been through the existing lease.

The general project area is adjacent to West Line Street/Highway 168 and is surrounded by vacant, open space, lands and low-density residential development.

Vicinity Map



Project Area



RV Area



Community Building and Event Area



General Plan Consistency

The goal of this project is to bring established non-conforming uses that have been conducted by the Bishop Elks Lodge since 1979, into compliance. The project is consistent with the General Plan designation of Agriculture (A) on which it is located, as the Agriculture designation allows for some non-agriculture uses. The uses being conducted on the property are being done so by a private club and are of a lower impact than some of the uses allowed for as agriculture uses (e.g. processing facilities). It is also a property owned and leased by the LADWP. There is a grazing lease associated with the parcel, but not in the area that is leased to Elks Park by LADWP (it is a separate lease area), so there is no loss of leased parcel area that can be used for grazing. For these reasons, it meets the spirit of the General Plan designation. It is also compatible with the General Plan's Economic Development Element's Goal ED-1.3: Visitor Usage of LADWP Lands that states: *Encourage the LADWP to continue to allow and expand the recreational uses of their land holdings in the Owens Valley.*

Zoning Ordinance Consistency

The OS zoning designation allows for lodges, campgrounds and other recreational activities involving large assemblages of people, as a conditional use. This application is for an established non-conforming use at the site and the applicant is seeking the use permit to continue to operate in compliance with County's zoning ordinance. The proposed uses have been conducted on the property for years. The Inyo County Code only allows these uses in the OS zone with a CUP approved by the Planning Commission. By acquiring the CUP the applicant is creating consistency with the code.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), the proposal is covered by 15301 – Existing Facilities, Class 1. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This application for a CUP is for a property that has been used for the proposed activities since 1979. No changes or expansion to the current use will be made and no additional areas of the property will be built upon or otherwise disturbed.

NOTICING & REVIEW

The application for CUP 2024-10/Elks Park has been reviewed by the appropriate county departments and the Eastern Sierra Community Service District (ESCSA). Environmental Health staff commented on the application stating that the Elks need to address their water system with regard to a notice they received from the State Water Resources Board, Division of Drinking Water (DDW). The DDW indicated that the Elks need to ensure that their water provision is done in a manner that meets the definition of a "state small water system". These water systems are non-public and overseen by the local jurisdiction. In this case, the County Environmental Health Department. The CUP is being conditioned with the Elks meeting all of the requirements of a state small water system and they will not be able to operate until the County Environmental Health Department approves the water

system and notifies the Planning Department. The Elks are also being conditioned with a requirement to meet all County regulations regarding building, water and sanitary services including electrical hook-ups.

Also, based on the fact that no expansion of uses is going to be allowed with this CUP, it is being conditioned with:

- Quiet hours of 10 p.m. to 8 a.m.
- Seven total RV spaces - for members only
- Follows the County's outdoor lighting ordinance.

The hearing for CUP 2024-10/Elks Park was noticed on February 15th, 2025 in the Inyo Register and mailed to property owners within 300-feet of the project location as required by the Inyo County and State of California Codes. No comments have been received to date.

RECOMMENDATION

Planning Department staff recommends the approval of CUP No. 2024-10/Elks Park, with the following Findings and Conditions of Approval:

FINDINGS

1. The proposed CUP is exempt by 15301 – Existing Facilities which consists of the operation, repair, maintenance, permitting, leasing, licensing, of existing public and private structures, facilities, or topographical features involving negligible or no expansion of existing or former uses and the provisions of the California Environmental Quality Act have been satisfied.

[Evidence: 15301 states that CEQA does not apply to projects which consist of the operation, repair, maintenance, permitting, leasing, licensing of existing public and private structures, facilities, or topographical features involving negligible or no expansion of existing or former uses. This application for a CUP is for a property that has been used for the proposed activities since 1979. No changes or expansion to the current use will be made and no additional areas of the property will be built upon or otherwise disturbed; therefore, it qualifies under 15301- Existing Facilities as an exemption.]

2. The proposed CUP is consistent with the Inyo County General Plan Land Use designation of Agriculture.

[Evidence: The goal of this project is to bring, into compliance, established non-conforming uses that have been conducted by the Bishop Elks Lodge since 1979. The project is consistent with the General Plan designation of Agriculture (A) in which it is located, as the Agriculture designation allows for some non-agriculture uses. The uses on the property are conducted by a private club and are of a lower impact than some of the uses allowed for as agriculture uses (e.g. processing facilities). It is also on a property owned and leased by the LADWP that is not identified for agriculture activity (grazing); therefore, the Elks' activities are not taking away potential range/agriculture land. For these reasons, the project is consistent with the General Plan designation.]

3. The proposed CUP is consistent with the Inyo County Zoning Ordinance, which permits lodges, campgrounds and event spaces as a conditional use in the OS Zone.
[Evidence: The Open Space zone allows for lodges, campgrounds and other recreational activities involving large assemblages of people, as a conditional use. This application is for these uses that are currently established non-conforming uses at the site and the applicant is seeking the use permit to continue to operate in compliance with County's zoning ordinance. The proposed uses have been on the property for many years without issue. The Inyo County Code only allows these uses in the OS zone with a CUP approved by the Planning Commission. By acquiring the CUP the applicant is creating consistency with the county code.]
4. The proposed CUP is necessary or desirable.
[Evidence: The General Plan's Economic Development Element's Goal ED-1.3: Visitor Usage of LADWP Lands, states: Encourage the LADWP to continue to allow and expand the recreational uses of their land holdings in the Owens Valley. The Elks also provide the park for community events, such as an annual eater egg hunt, and donate some of the proceeds from their events to local schools and veterans groups.]
5. The proposed CUP is properly related to other uses and transportation and service facilities in the vicinity.
[Evidence: The proposed CUP is to make existing uses compliant with the County's Zoning Code. It will not increase the current level of use on the site or of exiting and entering vehicles from Highway 168 and therefore, will not have an impact on transportation or service facilities in the vicinity.]
6. The proposed CUP would not, under all the circumstances of this case, affect adversely the health or safety of people living or working in the vicinity or be materially detrimental to the public welfare.
[Evidence: The CUP is proposed to make existing uses on the property compliant the County's Zoning Code. It will not create impacts on the health or safety of people living or working in the vicinity nor be materially detrimental to the public welfare as no changes to an already established use is being proposed and is being conditioned with ensuring a proper and permitted water system, quiet hours, and meeting county lighting requirements.]
7. Operating requirements necessitate the CUP for the site.
[Evidence: The continuation of existing uses on the property by the Elks requires a CUP pursuant to the Inyo County Code to be compliant. Therefore, the CUP is necessary for the continued operations at the site.]

CONDITIONS OF APPROVAL

1. Hold Harmless

The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an

approval of the county, its advisory agencies, its appeals board, or legislative body concerning CUP No. 2024-10/Elks Park. The County reserves the right to prepare its own defense.

2. Compliance with County Code

The applicant/developer shall conform to all applicable provisions of Inyo County Code and obtain all required permits and adhere to the requirements to operate as a state small water system. The Elks shall not have event rentals, RV stays or other lodge events until the Environmental Health Department approves the water system and notifies the Planning Department that the water system is properly permitted. Failure to comply may cause the revocation of CUP 2024-10/Elks Park.

3. The applicant shall work with the County Department of Building and Safety to ensure all State and County requirements have been met and all required permits are obtained regarding any buildings and/or electrical hook-ups. The applicant shall also follow the County's Outdoor Lighting Ordinance, 18.74 of the County Code. The applicant's failure to comply may cause the revocation of CUP 2024-10/Elks Park.